

Rulemaking Hearing Rules
of
Department of Commerce and Insurance
Division of Fire Prevention

FS 06-18-08
DB 2902-2903

Chapter 0780-2-2
Codes and Standards

Amendments

Subparagraph (a) of paragraph (1) of rule 0780-2-2-.01 Adoption by Reference is amended by deleting it in its entirety and substituting instead the following language so that, as amended, subpart (a) of the paragraph shall read:

- (a) Except for Chapter 11 pertaining to accessibility and Chapter 27 pertaining to electrical requirements and the International Electrical Code, ICC International Building Code, 2006 edition, including ICC International Mechanical Code, 2006 edition, published by the International Code Council, Inc., 500 New Jersey Avenue Northwest, 6th Floor, Washington, D.C., 20001.

Authority: T. C. A. §§68-102-113(a) and (e) and 68-120-101(a).

Subparagraph (a) of Paragraph (1) of rule 0780-2-2-.04 Conflicts is amended by deleting it in its entirety and substituting instead the following language so that, as amended, the subparagraph shall read:

- (a) the provisions of the International Building Code shall prevail if such conflict or inconsistency relates to height, area restrictions or construction type; and

Authority: T. C. A. §§68-102-113(a) and (e) and 68-120-101(a).

Chapter 0780-2-3
Review of Construction Documents and Specifications

Amendments

Subparagraph (e) of Paragraph (1) of rule 0780-2-3-.01 Definitions is amended by deleting it in its entirety and substituting instead the following language so that, as amended, the subparagraph shall read:

- (e) Detention and correctional occupancy, business occupancy, residential occupancy, place of assembly and covered mall shall be defined as in the 2006 edition of the Life Safety Code (NFPA No. 101-2006). High hazard industrial facility shall be defined as in the 2006 edition of the International Building Code for subclasses H-1 and H-2 only. Storage of high hazard materials shall not be considered as a high hazard industrial occupancy.

Authority: T. C. A. §§68-102-113(a) and (e) and 68-120-101(a).

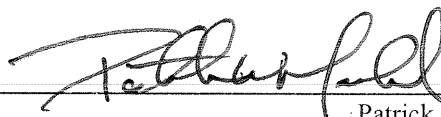
Legal Contact and/or party who will approve final copy for publication:

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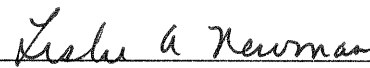
Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:



Patrick W. Merkel
Chief Counsel for Fire Prevention and Law Enforcement
Tennessee Department of Commerce and Insurance

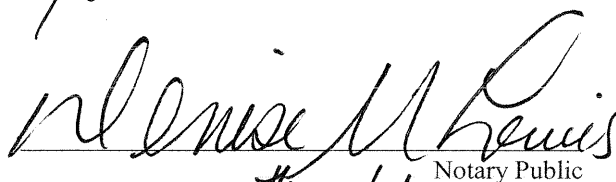
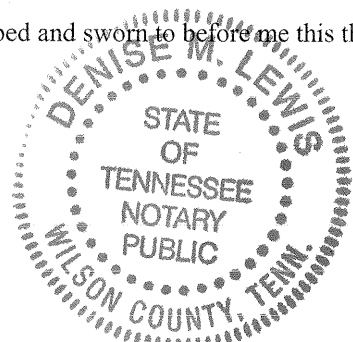
I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Department of Commerce and Insurance on the 4th day of June, 2008.

Further, I certify that the provisions of T.C.A. §4—5—222 have been fully complied with, that these rules are properly presented for filing, a notice of rulemaking hearing has been filed in the Department of State on the thirty-first day of January, 2008 and such notice of rulemaking hearing having been published in the February, 2008 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 19th day of March, 2008.



Leslie A. Newman
Commissioner
Department of Commerce and Insurance


Subscribed and sworn to before me this the 4th day of June, 2008.


Notary Public



My commission expires on the 5th day of March 2012

Commission Expires MAR

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.


Robert E. Cooper, Jr.
Attorney General and Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 18 day of June, 2008 and will become effective on the 1 day of Sept., 2008.


Riley Darnell
Secretary of State
By: 

2008 JUN 18 PM 12:22

Economic Impact Statement:

1. Types of small businesses directly affected:

Small design and design/construction firms may be affected by these rules.

2. Projected reporting, recordkeeping, and other administrative costs:

There is no foreseeable alteration in small business record-keeping that will result from the promulgation of these rules, although effected businesses will eventually be required to purchase update building code materials.

3. Probable effect on small businesses:

These proposed rules will directly effect small businesses for which adherence to current building codes is essential.

4. Less burdensome, intrusive, or costly alternative methods:

The Division knows of no other alternative method to achieve the goals exhibited by these rules.

5. Comparison with federal and state counterparts:

There are no federal counterparts to the issues addressed by these rules.

6. Effect of possible exemption of small businesses:

There will be no exemptions created by these rules.